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August 31, 2020

RE: *Roc Nation, LLC v. HCC International Insurance Company, PLC*; Case No.: 1:19-cv-00554

Dear Judge Engelmayer:

This firm is legal counsel to Plaintiff Roc Nation, LLC (“Roc Nation”). We request permission, pursuant to Section 4(B) of Your Honor’s Individual Rules and Practices, to file under seal exhibits to the Declaration of Amber S. Finch cited by and submitted in support of Roc Nation’s Partial Motion for Summary Judgment and Opposition to HCC’s Motion for Summary Judgment (the “Motion”). Roc Nation also requests permission to file versions of the Motion, Roc Nation’s Statement of Material Facts, Roc Nation’s Responses to HCC’s Statement of Material Facts, and Roc Nation’s Evidentiary Objections to HCC’s Statement of Material Facts with statements containing confidential and proprietary information that were marked Confidential pursuant to the Protective Order in this case redacted, with the full unredacted versions filed under seal.

The Stipulated Confidentiality Agreement and Protective Order in this case [ECF No. 43] (the “Protective Order”) allows counsel to designate deposition testimony as Confidential under Section 4. This obligates the party to file that confidential testimony under seal. The Motion cites and relies upon deposition transcripts that were marked confidential by the respective parties during and after the deposition occurred. Each of the transcripts are marked confidential. Thus, pursuant to the protective order, Roc Nation has an obligation under the Protective Order to file them under seal. Similarly, documents produced in this action contain highly confidential, proprietary agreements and financial records, which have all be designated as Confidential under the Protective Order. As a result, Roc Nation is requesting to file each of the Exhibits in the Declaration of Amber S. Finch under seal in their entirety.

The issues involved in the Motion contain sensitive discussions of the business operations and financial information of Roc Nation. As discussed more fully in the Motion, Roc Nation brought this case to recover policy benefits on an insurance policy purchased from HCC. Part of this Motion seeks to resolve which parts, if any, of this information will be relevant to obtaining the policy benefit. Prior to that, and consistent with the Protective Order, Roc Nation has good cause to file this confidential information under seal.

Further, the Motion, Roc Nation’s Statement of Material Facts, Roc Nation’s Responses to HCC’s Statement of Material Facts, and Roc Nation’s Evidentiary Objections to HCC’s Statement of Material Facts discuss the confidential and sensitive information discussed above, as well as the deposition transcripts marked confidential pursuant to the Protective Order. In an attempt to keep the sealing request as narrow as possible, Roc Nation seeks permission to file proposed redactions in these documents in public view, with the unredacted versions filed under seal. These redactions remove the confidential and proprietary information from the Motion, and other corresponding documents, such that the pertinent parts can be filed publicly.

Good cause exists for granting this request. The request is submitted under the terms and for the reasons set forth the Protective Order, and the parties understood that their confidentiality designations would apply when they were exchanging information and taking depositions in order to avoid objections preventing the disclosure of material that would be relevant in discovery and for settlement discussions, but which the

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parties would not agree to make publically available. Furthermore, and as stated above, Roc Nation has attempted to narrow this request to the extent possible.

Thank you for your time and attention to this matter.

Very truly yours,
/s/ Amber Finch
Amber S. Finch

Granted.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

September 1, 2020